

Atty. Docket No. DYNG.P001**PATENT****IN THE UNITED STATES PATENT OFFICE**

In Re Patent Application of:

David Kitson

Application No. 10/670,640

Filed: September 24, 2003

For: ORTHOPAEDIC SURGERY PLANNING

) Examiner: Not assigned

) Art Unit: 2621

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST CLASS MAIL CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service FIRST CLASS MAIL service with sufficient postage on the date indicated below and that the paper(s) and/or fee(s) have been addressed to MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Barbara B. Courtney

(Typed or printed name of person mailing paper(s) or fee(s))

(Signature of person mailing paper or fee)

January 14, 2004

(Date signed and mailed)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

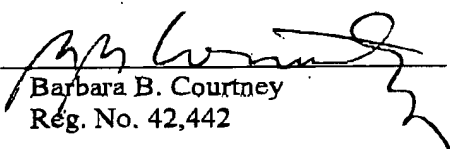
In response to a Notice to File Missing Parts mailed December 12, 2003 in connection with the above-referenced provisional patent application, Applicant herewith submits the following:

1. copy of the Notice to file Missing Parts of Patent Application;
2. Declaration;
3. Power of Attorney by Assignee;
4. Certified Copy of the Priority Document;
5. USPTO fee transmittal (in duplicate); and
6. check no. 3289 in the amount of \$130.00 for the Late Oath or Declaration Surcharge as stated in the Notice.

Please charge Deposit Account No. 501914 for any fee deficiency that may be due.

Respectfully Submitted,
Shemwell Gregory & Courtney LLP

Date January 14, 2004


Barbara B. Courtney
Reg. No. 42,442



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/670,640	09/24/2003	David Kitson	DYNG.P001

Shermwell Gregory & Courtney LLP
Suite 201
4880 Stevens Creek Blvd.
San Jose, CA 95129

CONFIRMATION NO. 6817

FORMALITIES LETTER



OC000000011513497

Date Mailed: 12/17/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

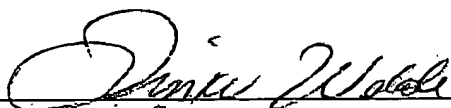
Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

